

**REMARKS**

Claims 1-20 remain pending in this application. Reconsideration of this application is requested.

The present invention is directed to an electronic information retrieval device, such as an Internet browser running on a computer, a television, a radio, a PDA, or other audiovisual device that conveys information to a user. According to the present invention, when such device is initialized (either by powering on or by activation, such as by opening an internet browser application), a real time look-up is performed, and a memory is consulted to retrieve a default initialization value associated with the current time, which default initialization value is used to retrieve particular information for outputting to an output device associated with the information retrieval device (such as a display, an audio speaker, a print-out, etc.). For example, as explained in the specification, when a user opens a web browser or turns on a television set in the early morning, the web browser or television set would display the latest news and/or weather information. Conversely, when a user opens a web browser or turns on a television set in the late evening, the web browser or television set would display an entertainment program.

**The 35 U.S.C § 103 Rejection**

The rejection of claims 1-20 under 35 U.S.C. § 103 as being unpatentable over Bahjat et al. (U.S. Patent No. 5,159,163) is respectfully traversed. Bahjat discloses an elevator management system having a time-based security function, whereby for example the elevator will not stop on certain floors at certain times of day when security personnel are not present to monitor persons gaining access to such floors.

Bahjat fails to disclose or suggest the claimed invention as set forth in claims 1-20. First, Bahjat is not directed to an electronic information retrieval device. The EMS 115 is an elevator management system, and not an information retrieval device as disclosed and set forth in the claims. The elevator management system retrieves an elevator operational characteristic profile based on the time of day, which profile controls the operation of an elevator with respect to particular floor access. The elevator operational characteristic profile does not correspond to an initialization default value

that is used to retrieve particular information for outputting to an output device as claimed. The characteristic profile simply identifies floors that are not to be accessed by an elevator.

Second, the elevator system of Bahjat is operated continuously, and is not deactivated when not used as set forth in claim 1, nor is it powered down. Safety considerations and regulations would preclude shutting down the elevator system, for example, to enable continuous access by fire and/or rescue personnel in the event of an emergency. Further, if the elevator system were to be simply shut down at the close of normal business hours, there would be no need to provide access control to certain floors, as is done by Bahjat.

Third, Bahjat fails to disclose any initialization use pattern, wherein time-based initialization default values are developed over a period of time in accordance with actual usage patterns. This feature is set forth in claims 8, 10 and 18, and has not even been addressed in the outstanding Office action. Accordingly, not even a *prima facie* case of unpatentability exists on the record for these claims.

Fourth, the I/O device 136 of Fig. 8 does not output particular information based on any retrieved time-based default initialization value as claimed; the I/O device 136 couples the processor 130 to a fire station terminal, an external security computer, a printer and an information control subsystem (ICSS) 114.

Fifth, Bahjat does not teach or anywhere suggest initialization of an information retrieval device by user input. The elevator management system is started upon completion of installation of the elevator system in a building.

Sixth, Bahjat fails to disclose or suggest the limitations of claims 15, 16, 17 or 20 regarding specific types of initialization values and software application activation as initialization.

**Conclusion**

In view of the foregoing, claims 1-20 are submitted to be patentable over the prior art of record, whether considered individually or in combination. Further reconsideration of this application, withdrawal of the outstanding grounds of rejection and the issuance of a Notice of Allowance are earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Deposit Account No. 08-2025.

RESPECTFULLY SUBMITTED,					
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